

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS TX 75202-2733

FEB 2 7 2015

GENERAL NOTICE LETTER -- URGENT LEGAL MATTER PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 8029 RETURN RECEIPT REQUESTED

Coastal Chemical Co., L.L.C. PO Box 13786 Reading, Pennsylvania 19612

RE:

General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in

Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.-Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within 60 calendar days after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

Carl E. Edlund, P.E.

Director

Superfund Division

Enclosures (4)

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

Site Background

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

- 1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
- 2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
- 3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
- 4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
- 5. Empty totes/drums have been segregated for temporary storage.
- 6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
- 7. Lab chemicals/company process samples were collected and disposed by the Trustee.
- 8. Process chemicals were collected and disposed by the Trustee.

ENCLOSURE 1 GENERAL NOTICE REGARDING CES ENVIRONMENTAL SERVICES, INC.- HOUSTON HOUSTON, HARRIS COUNTY, TEXAS

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

- 1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
- 2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
- 3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
- 4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
- 5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

- 1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
- 2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
- 3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
- 4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
- 5. Empty totes/drums have been segregated for temporary storage.
- 6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
- 7. Lab chemicals/company process samples were collected and disposed by the Trustee.
- 8. Process chemicals were collected and disposed by the Trustee.

PARTICIPATION

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

http://www.epa.gov/swerosps/bf/sblrbra.htm

and review the EPA guidance regarding these exemptions at:

http://www.epa.gov/compliance/resources/policies/cleanup/superfund

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov.

In addition, the EPA Small Business Ombudsman may be contacted at <u>www.epa.gov/sbo.</u> Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below within 60 calendar days after you receive this letter to indicate your willingness to enter in good faith as a Settling Party. If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.

Your response to this letter should be directed to:

Mr. Robert Werner Enforcement Officer (6SF-TE) United States Environmental Protection Agency Region 6 1445 Ross Avenue Dallas, Texas 75202 Telephone: 214-665-6724, Fax: 214-665-6660 werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas Assistant Regional Counsel (6RC-S) United States Environmental Protection Agency Region 6 1445 Ross Avenue Dallas, Texas 75202 Telephone: 214-665-8063, Fax: 214-665-6460

salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

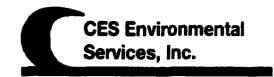
ENCLOSURE 2 GENERAL NOTICE REGARDING CES ENVIRONMENTAL SERVICES, INC.- HOUSTON HOUSTON, HARRIS COUNTY, TEXAS

EVIDENTIARY DOCUMENTATION

SAMPLES OF EVIDENCE

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

- 1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
- 2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.



4904 Griggs Road Houston TX 77021 Tel. (713) 676-1460 Fax. (713) 676-1460

Waste Pre-Acceptance/Approval Letter

Date 12/20/2007

Dear Jamie Stieffel

Thank you for choosing CES Environmental Services, Inc. for you waste disposal and/or recycling needs. The following waste stream has been approved at our facility in Houston, TX. If the waste received does not conform to the profile, then rejection or additional charges may apply.

CES Profile # 2565

Expiration Date 12/20/2009

Generator: Coastal Chemical Company-Alice

Address: 6110 Hwy 44

Alice, TX 78332

Waste Information

Name of Waste: Methanol water TCEQ Waste Code #: CESQ1191

Container Type:

Detailed Description of Process Generating Waste:

Plant processes

Color: brown

Odor: slight

pH: 11

Physical State:

Incompatibilities: oxidizing agents
Safety Related Data/Special Handling:

std

If you have any questions concerning this approval and/or the conditions, then please feel free to contact our office at (713) 676-1460.

Thank you,

Matt Bowman, President CES Environmental Services, Inc. 271

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Form Approved, OMB No. 2050-0039 Please print or type. (Form designed for use on elite (12-pitch) typewriter. 1.1X1490013919 / 36459 UNIFORM HAZARDOUS 002164809 WASTE MANIFEST Generator's Site Address (if different than making eddress) Generator's Name and Malloq Address 3205 Pasadena Blvd. 3205 Pasadena Blvd asadena, TX 77503 Pasadena, TX 77503 Generator's Phone: (713) 477-6675 (713) 477-6675 U.S. EPA ID Number 6. Trersporter 1 Company Nam Coastal Chemical TXT490013919/36459 7. Transporter 2 Company Name U.S. EPA ID Number Designated Facility Name and Site Address
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 Designated Facility Name and Site Address U.S. EPA ID Number 4904 Griggs Rd. louston TX, 77021 TXD008950461 (713) 676-1460 9b. U.S. DOT Description (Including Proper Shipping Name, Hazard Class, ID Number, 10. Containers 11. Total 12. Unit 13. Waste Codes and Paciting Group (if env)) WILNE Quantity Type Ion-RORA/Non DOT regulated storm water 1 00011011 51240 GENERATOR 14 Secial Handing Instructions and Additional Information Folder (D : Coastal Chermical (Coastal Chermical-Pasadena) CES Profile # CES 3ab # - 54666 PO# 160247 Storm Water 11a) 1250 11b) 11d) 15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export stipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization elatement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. Year Generator's/Offeror's Printed/Typed Name Day 25 | 08 CRECORY SMITE

16. International Shipments Fort of entry/exit: ____ Import to U.S. Export from U.S. Date leaving U.S. Transporter signature (for exports only): 17. Transporter Adinowledgment of Receipt of Materials Transporter 1 Printed/Typed Name LONNIE LAYTON Transporter 2 Printed/Typed Name 18. Discrepancy 18a. Discrepancy Indication Space Птуре Quantity Partial Rejection Full Rejection Residue Manifest Reference Number 18b. Alternate Fedlity (or Generator) U.S. EPA ID Number Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month Day Year 19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) H141, H135 20. Designated Facility Owner or Opegator. Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

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ENCLOSURE 3 GENERAL NOTICE LETTER REGARDING CES ENVIRONMENTAL SERVICES, INC.- HOUSTON HOUSTON, HARRIS COUNTY, TEXAS

ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED

The Lubrizol Corporation

Advanced Aromatics, L.P.

AMTEX Machine Products, Inc.

Andergauge Drilling Systems

Arkema Inc.

Ball Corporation

Canrig Drilling Technology Ltd.

Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.

Champion Technologies (Merged into Nalco Company)

Citgo Petroleum Corporation (Citgo Refinery)

Cross Oil & Refining & Marketing, Inc..

Dover Corporation - Cook Compression (C Lee Cook)

Evalca Company of America

KMCO, Inc. (new name is Ramsey Properties, L.P.)

PGI International. LTD (merged into Parker-Hannifin Corporation)

Philip Reclamation Services Houston, LLC

Plaquemine Point Shipyard, Sunshine, LA

PPG Industries, Inc.

Praxair, Inc.

Proler Southwest

Quest Chemical Corporation

RasGas in Qatar @ KMTEX

Sierra Chemical Corporation

Skyhawk Chemicals, Inc.

Smithfield BioEnergy, LLC

Sun Coast Resources, Inc.

T. T. Barge Mile (Barge Mile 183, 237)

T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])

T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])

T.T. Barge (Mile 237)

T3 Energy Services-Cypress

Taber Extrusions

Targa Midstream Services LP

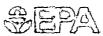
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube

Texas Oil Tools, NOV (Conroe)

Texas Water Management
Total Petrochemicals, Inc. - Port Arthur
Transmontainge Product Service
Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)
ZaCh System Corporation (Ampac)

ENCLOSURE 4 GENERAL NOTICE LETTER REGARDING CES ENVIRONMENTAL SERVICES, INC.- HOUSTON HOUSTON, HARRIS COUNTY, TEXAS

SMALL BUSINESS RESOURCES FACT SHEET



Office of Enjoycement and Compliance Assurance

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance; and find cost-effective ways to comply through the use of pollution, prevention and other innovative technologies

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses

Agriculture (www epa.gov/agriculture or 1-888-863-2155)

Automotive Recycling Industry (www.ecarcenter.org)

Automotive-Service and Repair (www.ccar-greenlink.org or 14888-GRN-LINK)

Chémical Industry (www.chemalliance.org)

Construction Industry (www.cicacenter.org.or:1-734-995-4911)

Education (www campuserc.org)

Healthcare Industry (www.hercenter.org.or 1-734-995-4911)

Metal Finishing (www.nmfrc.org.or.1-734-995-4911)

Paints and Coatings. (www.paintcenter.org.or 1-734-995-4911)

Printed Wiring Board Manufacturing (www.pwbrc.org or 1-734-995-4911)

Printing (www pneac.org or 1-888-USPNEAC)

Transportation Industry (www.transource.org)

Tribal Governments and Indian Country, (www epa gov/třibal/compliance or 202–564-2516)

US Border Environmental Issues (www.bordercenter.org. or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the internet at your business, many public libraries provide access to the internet at minimal or no cost.

EPA's Home Page www.epa.gov

Small Business Gateway www.epa.gov/smallbusiness

Compilance Assistance Home Page www.epa gov/compliance/assistance

Office of Enforcement and Compliance Assurance www.epa.gov/compliance

Voluntary Partnership Programs www.epa.gov/partners

Office of Enforcement and Compliance Assurance http://www.epa.gov/compliance



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa gov/epahome/hotline htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below

Clean Air Technology Center (www epa gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act (www epa gov/superfund/resources/infocenter/epcra htm or, 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information. (www epa gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers (www epa gov/clearinghouse)

National Response Center to report oil and hazardous substance spills (www nrc.usco mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse (www epa gov/opptint/ppic or 1-202-566-0799)

Safe Drinking Water Hotline (www.epa gov/safewater/hötline/index html or 1-800-426-4791)

Stratospheric Ozone Refrigorants Information (www epa gov/ozone or 1-800-296-1996)

Toxics Assistance.Information Service also includes asbestos inquines. (1-202-554-1404)

Wetlands Holpline (www epa gov/owowwetlands/wetline html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman (www epa gov/sbo, or 1-800-368-5888)

Small Business Environmental Homepage (www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated.

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses

The Small Business Compliance Policy (www.epa-gov/compliance/incentives/smallbusiness)

Audit Policy (www epa gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA

Your Duty to Comply

If you receive compliance assistance or submit comments. to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests. administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes. it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Faimess Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.



United States
Environmental Protection Agency
Region 6
1445 Ross Ave, Ste 1200
Dallas, Tx 75202-2733

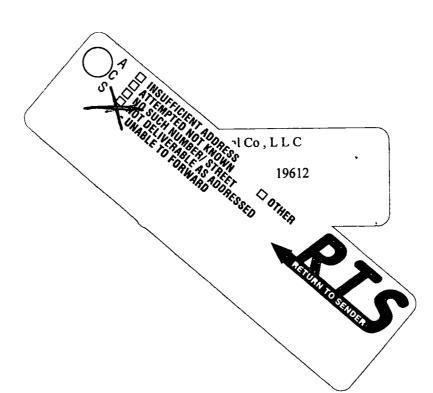
http://www.epa.gov/region6 1-800-887-6063

REPLY TO MAIL CODE: 65F-TE

Official Business Penalty for Private Use \$300 An Equal Opportunity Employer



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	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature X
1	so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery
4	Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
; ;	Coastal Chemical Co., L.L.C. PO Box 13786 Reading, Pennsylvania 19612	
; }		3. Service Type Certified Mail Registered Return Receipt for Merchandise Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee)
	2. Article Number 7014 0150 (Transfer from service label,	0000 2452 8029
1	PS Form 3811, February 2004 Domestic Ret	turn Receipt 102595-02-M-1540